REMARKS

35 U.S.C. § 102 Claim Rejection

By the Office Action dated September 15, 2008, the Examiner has rejected claim 16 under 35 U.S.C. § 102(e) as being anticipated by James (U.S. Patent Application Publication Number 2003/0217169) (hereinafter "James"). In order to be an anticipation of a claim under 35 U.S.C. § 102(e), a reference must teach every element of the claim, including the relationships between the elements. If any element is not fully taught by the reference, the rejection cannot be sustained.

Evaluating James in this light, it is appropriate to examine the portions of James which the Examiner has pointed to as teaching the claimed elements.

Claim 16

The Examiner has asserted that

> James discloses in figures 1-3, in a client-server system computing system having a cache and storing eXtensible Markup Language (XML) data as data objects, a method for determining invalid cached objects comprising transforming XML data into a format suitable for a client application based on a set of transformation rules ("XML formatted documents which can be transformed into other formats according to instructions included in corresponding XSL stylesheet documents", paragraph [0019]); determining dependencies between cached objects and XML data related to the cached objects ("Based upon the freshness requirements of the XML document and the XSL document, it can be determined whether located transformed content satisfies the freshness requirements. If so, the located transformed content can be returned to the client process 102 over the public network 104", paragraph [0022]); monitoring updates to the related XML data; and determining the cached objects that are affected by changes to the related XML data based on the dependencies ("XML document and the XSL transformation stylesheet can be retrieved from the content server 110 through the firewall 108 and the caching reverse proxy server 106 can

undertake the transformation of the XML document based upon the XSL transformation stylesheet", paragraph [0024]).

(See Office Action, pages 2-3.)

To the extent the Examiner's language at pages 2-3 of the Office Action can be understood, it appears that the Examiner has asserted the following correspondence between James and claim 16:

Claim 16	**James**
16. In a client-sever computing system having a cache and storing eXtensible Markup Language (XML) data as data objects, a method for determining invalid cached objects comprising:	James does not teach this claim element.
transforming XML data into a format suitable for a client application based on a set of transformation rules;	James does not teach this claim element.
determining dependencies between cached objects and XML data related to the cached objects;	James does not teach this claim element.
monitoring updates to the related XML data; and	James does not teach this claim element.
determining the cached objects that are affected by changes to the related XML data based on the dependencies,	James does not teach this claim element.
wherein data is represented as a tree structure having a plurality of nodes and	James does not teach this claim element.
the cached objects that are affected by the data changes are determined using the tree structure.	

In reviewing the cited portions of original, however, it becomes apparent that James has been generalized, and, in fact, does not support the position asserted by the Examiner.

determining the cached objects that are affected by changes to the related XML data based on the dependencies, *wherein data is represented as a tree structure having a plurality of nodes and the cached objects that are affected by the data changes are determined using the tree structure*

In particular, James fails to teach "determining the cached objects that are affected by changes to the related XML data based on the dependencies, *wherein data is represented as a tree structure having a plurality of nodes and the cached objects that are affected by the data changes are determined using the tree structure*", as required by claim 16. Instead, James discloses that

> freshness data encapsulated in the HTTP headers 202, 206 for each of the XML and XSL documents 204, 208 can be inspected [and] . . . As is well known in the art, HTTP headers 202, 206 can include "expires" and "last modified" information which can be useful in this regard.

(See James, paragraph [0024].) Thus, James fails to teach that the "freshness data" is "*represented as a tree structure having a plurality of nodes*", as required by claim 16. In addition, James discloses that

> the content stored in fixed storage 112 and served by the content server 110 can be XML formatted documents which can be transformed into other formats according to instructions included in corresponding XSL stylesheet documents. Still, the invention is not strictly limited to XML/XSL transformations and the method and system of the invention can provide the advantages described herein by virtue of its operation in similar fashion upon any construct similar to the XML/XSL content transformation paradigm.

(See James, paragraph [0019].) Thus, James teaches that the data stored in storage 112 is in the form of text documents, such as "XML formatted documents". The data in such

text documents is not represented in a tree structure. Thus, James fails to teach that the data stored in storage 112 is "*represented as a tree structure having a plurality of nodes*", as required by claim 16. Since James does not teach "*wherein data is represented as a tree structure having a plurality of node*", James cannot teach *"the cached objects that are affected by the data changes are determined using the tree structure*". Therefore, James does not teach the claim 16 element of "determining the cached objects that are affected by changes to the related XML data based on the dependencies, *wherein data is represented as a tree structure having a plurality of nodes and the cached objects that are affected by the data changes are determined using the tree structure*". It is therefore clear that James cannot teach each element of claim 16 and, therefore, a rejection of claim 16 under 35 U.S.C. § 102(e) is inappropriate.

Conclusion

It is therefore clear that claim 16 complies with the requirements of 35 U.S.C. §§ 101, 102, 103, and 112. The application is therefore in condition for allowance. Early notification to that effect is respectfully solicited.

In the event that any issue remains unresolved, the Examiner is invited to telephone the undersigned at 408-927-3377.

Respectfully Submitted,

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